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REMARKS

Applicant has amended the claims to recite that the minimum amount of the water soluble polymer is greater than 15 wt%. Support for this amendment is found in the claims as originally filed such as in claims 3, 4 and 5. No new matter is added by this amendment.

Before discussing the art rejection, Applicant points out that the invention is related to a water soluble polymer plus a salt of sodium or potassium and a strong acid. Such salts are highly soluble; provide a neutral pH and aid in the dissolution of the water soluble polymer in a blocking compound, a useful property in contact lens shaping. This is discussed in the application at page 5, lines 12-18 and page 9, line 8-22 as filed.

The Examiner has rejected all claims under 35 U.S.C. § 102(b) over Robinson et al., U.S. Patent No. 6,071,539. In an anticipation rejection, all elements of the claim must be exactly disclosed by the prior art or else the anticipation rejection fails. Since the exact invention is not shown, Applicant respectfully traverses the rejection.

Applicant asserts that the § 102(b) rejection because the reference fails to teach the highly soluble sodium or potassium salt of a strong acid. The prior art shows the combination of up to about 10 wt% of a large array of polymer binder materials with an acid source and an effervescent source. A very small portion of the polymer binder materials may be water soluble, however on the whole, the suggested polymer materials are not entirely water soluble. However, the main difference between the invention as filed and the reference is that the reference does not teach a highly soluble sodium or potassium micronized salt of a strong acid. The acid source includes salts that obtain a low and acid pH, less than 4.5. This is not a characteristic of sodium or potassium salts of strong acids which tend to have essentially neutral pH in aqueous solutions. Further, the effervescence source typically a bicarbonate, carbonate or similar material is a salt of a weak acid material. Sodium bicarbonate obtains an alkaline pH that is far from neutral. Neither the acid source nor the effervescent source are considered "highly soluble" as claimed. Accordingly, the reference does not show an essential element of the invention which is the micronized sodium or potassium salt of a strong acid. The reference teaches a number of sodium salts of weak acids but does not teach the preferred salt sodium chloride.

Further, claims 10-17 are allowable as written since these claims recite a polymer, a polyethyleneimine, not taught by the reference that is used in an amount, 25-50 wt%,

substantially in excess of the maximum amounts disclosed in the reference. These claims are neither anticipated nor obvious over the reference.

Applicant has, however, amended the claims to advance prosecution and provide a further distinction over the prior art. At most, the binder material in the prior art is present at 10 wt%. The Robinson et al. reference teaches that the polymer binder material is used in an amount of less than about 10 wt%, preferably 3 to about 8 wt% (Col. 5, line 61-65) and is used as a binder for the acid component and the effervescent component in the effervescent tablet. Applicant has amended the application to recite that the polymer is present in an amount of at least 15 wt%, substantially greater than the amount of polymer in the prior art reference. Since the prior art uses the polymer only as a binder for the acid and effervescent components and Applicant uses the polymer as a structural material to ensure that the contact lens is maintained in a constant position for machining operations, the amended claims are novel and unobvious over the prior art. The binder in the prior art is used for an entirely different purpose in an entirely different amount.

Robinson et al., at Column 1, lines 17-21, suggest that effervescent materials of the prior art (not the claimed invention) have been used for a variety of applications including as a cleaner for contact lenses. This description of the prior art is not applicable to the invention. There is nothing in the invention that indicates that the effervescent product can be used for anything other than those aspects listed in the patent at Column 2, lines 50-69. None of these applications include contact lens cleaner applications. However, further, an effervescent product cannot be used as a blocking compound for contact lens applications. In a blocking compound, the structural material holds the contact lens in a mechanically stable position so that the lens can be machined from a blank. The effervescent compounds of the invention could not be used in such an application since they have no thermoplastic character. In use, the polymer materials formed on a mandrel as a thermoplastic and the contact lens is embedded in the material when soft. The material cools into a mechanically stable form and the contact lens blank is machined into a lens with the appropriate correction. Nothing in the patent reference suggests that the effervescent granules of the invention can be used in such an application.

Other claims are patentable for other reasons. Claim 2 is patentable since it claims NaCl or KCl not disclosed in the reference. Claim 5 is patentable since the claimed polymer is not taught. Claim 12 is allowable since the patent does not teach the combination of the

polyethyleneimine polymer with other claimed materials or the amounts of water soluble salt (see claim 13). Claim 18 is allowable over the Robinson et al. reference since the combination of the three ingredients is novel with respect to the Robinson et al. reference. Claim 20 is patentable since the prior art materials have no melting point at a temperature about 165° F.

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

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Date

Respectfully submitted,

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